

Mendez, Manuel

From: Rittmaster, Ted R. [TRittmaster@foley.com]
Sent: Thursday, December 07, 2006 6:11 PM
To: Mendez, Manuel
Subject: U.S. Patent Appl. Ser. No. 10/034,628

COMMUNICATION TO EXAMINER (Mr. Manuel A. Mendez of Art Unit 3763)

Re: U.S. Patent Appl. Ser. No. 10/034,628
Titled: INFUSION DEVICE AND INLET STRUCTURE FOR SAME
Inventors: Scott R. Gibson et al.
Filing Date: 12/27/2001
Attorney Docket No.: 047711.0286
Examiner/Art Unit: Manuel A. Mendez of Art Unit 3763

Dear Mr. Mendez,

This email is sent, in accordance with your voice-mail request.

Thank you for calling my office and leaving a message regarding the above-referenced patent application.

In particular, your message informed us of an incorrect dependency recited in claim 32 (which is presently dependent upon itself). The correct dependency relationship is that claim 32 should be dependent on claim 31. Claim 31 provides proper antecedent basis for features recited in claim 32. Thank you for pointing out that error and please consider this communication an authorization to change claim 32 accordingly (to depend upon claim 31). ✓

In your voice mail message, you indicated that you would be able to make the change. However, if a formal amendment is required from us, I would be happy to prepare and file one (with your approval to do so).

Accordingly, please let me know if you would like us to file a formal amendment or if, instead, you are able to make the change, based on this email communication.

Best regards,

Ted Rittmaster
Foley & Lardner LLP
(310) 975-7963

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12/28/06

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